

SCHEDULE NO. 17

PUBLIC SAFETY RECORDS

General Description: Records relating to the enforcement and protective service functions of the municipality.

*The minimum retention periods specified in this schedule apply to the information contained within the record, regardless of the physical format of the record (paper, microfilm, computer disk or tape, optical disk, etc.). **Duplicate Copies:** Provided that no retention period is specified for duplicate copies, retain those that are created for **administrative purposes** for 1 year, and retain those created for **convenience or reference purposes** until no longer needed or for 1 year, whichever is first. Duplicate copies should not be retained longer than the record copy.*

17.05 **AMBULANCE LICENSING AND OPERATION RECORDS** <Added 3/09>

Records relating to the licensing and operations of ambulance services operated by a municipality. See also 6.40, *Communication System Licenses*; 6.110, *Maintenance and Safety Records*; and 7.365, *Special District Records*, for records relating to ambulance districts associated with the municipality.

A. Ambulance Billing Records

See 5.20, *Accounts Receivable Records*.

B. Ambulance Licensing Records

Records relating to county licensing and level of service certification of ambulance vehicles and operations.

Retention: 1 year + current after license or certification expires

C. Ambulance Run Records

Call sheets, logs or other records of ambulance runs. See also 17.70.B, *Call Sheets – Rescue Units*.

Retention: 5 years + current

D. EMT Certification Records

See 15.70, *Employee Records*.

E. Patient Records

Records relating to the treatment and transport of patients via an ambulance service operated by the municipality.

Retention: 5 years + current

17.10 **AGREEMENTS AND CONTRACTS**

See 7.20, *Agreements and Contracts*.

17.20 **ANIMAL CONTROL**

Records relating to the control and protection of animals in the municipality.

A. Animal Licensing

See 12.20.B, *Animal Licenses*.

B. Humane Society

Records documenting the ongoing operational and administrative relationship between the municipality and the local humane society or animal shelter. See 7.20, *Agreements and Contracts*; and 7.120, *External Groups and Agencies*. <Amended 3/09>

C. Impoundment Records

Records pertaining to the impoundment, disposition and care of stray animals. <Amended 3/09>

Retention: 1 year + current

D. Regulations

See 7.320, *Regulations and Standards*.

17.30 CIVIL DEFENSE

See 17.50, *Emergency Planning and Response*.

17.40 DISASTER RESPONSE PLANNING

See 17.50, *Emergency Planning and Response*.

17.50 EMERGENCY PLANNING AND RESPONSE

A. Emergency Operations and Management Plans

Records relating to disaster, emergency and civil defense planning and preparation; implementation and testing of disaster warning systems and response planning; disaster response and emergency planning and preparedness of the municipality. Includes emergency operations plans, incident response plans, and disaster management and recovery plans. See also 6.60, *Equipment Records*.

Retention: 1 year + current after superseded, *except* retain 1 copy for historical purposes

B. Incident Records – Major Disasters and Emergencies <Amended 3/09>

Documentation of the extent and impacts of major natural or manmade disasters and emergency incidents and actions taken by the municipality in response to such incidents; includes records such as logs, diaries, damage assessment and response reports, situation and resource allocation reports, incident plans, resource ordering and tracking, financial documentation, photographs, and similar incident-related documentation. A *major disaster or emergency incident* is defined as one that may have historical significance and/or a federal or state disaster declaration; i.e., the 2008 Windsor tornado, the Granby armored bulldozer incident. <Amended 3/09>

Retention: Permanent

C. Mutual Aid Agreements

See 7.20, *Agreements and Contracts*.

17.60 EQUIPMENT – PUBLIC SAFETY

Records pertaining to equipment used by public safety and emergency services departments. See also 6.60, *Equipment Records*.

A. Emergency 9-1-1 <Amended 3/09>

Records relating to emergency 9-1-1 system management.

Retention: 1 year + current after system is superseded

B. Intoxilyzers <Added 3/10>

Records relating to maintenance and calibration of Intoxilyzers and similar equipment.

Retention: 1 year + current after disposition of equipment

C. Radar Guns and Camera Radar

Records pertaining to maintenance and calibration of radar guns, camera radar and similar detection systems.

Retention: 1 year + current after disposition of equipment <Amended 3/09>

D. Warning Systems – Emergencies and Disasters

See 6.60, *Equipment Records*.

17.70 FIRE AND RESCUE ACTIVITY RECORDS

Records pertaining to fire suppression and prevention and emergency rescue functions.

A. Burning Permits

See 12.30.C, *Permit Records*.

B. Call Sheets – Rescue Unit

Retention: 5 years + current

C. Equipment

See also *Schedule 6 Fleet and Equipment Records*.

1. Fire Hydrant Records

Documentation of locations, specifications, maintenance, testing and repair of water hydrants in the municipal water system.

Retention: 1 year after hydrant is replaced or removed from service

2. Pumper Tests and Hose Tests

Retention: 1 year after disposal of equipment

D. Fire Code

See 7.60, *Codes Adopted by Reference*.

E. Fire Code Board of Appeals

See 1.50, *Building Board Case Files*.

F. Fire Insurance Rate Maps

See 7.180, *Maps and Drawings*.

G. Fire Protection Districts <Amended 2/08>

See 7.365, *Special District Records*.

H. Incident Records**1. Fire Call Sheets**

Retention: 5 years + current

2. Fire Prevention Schedule

Retention: 1 year + current

3. Incident Investigations

Records pertaining to investigations regarding fires and other incidents. See also 17.80, *Hazardous Materials*.

a. Fatality

Retention: Permanent

b. Nonfatality

Retention: 10 years + current

c. Noncriminal

Retention: 2 years + current

d. Rescue Incident Reports

Retention: Permanent

4. Run Sheets – Fire and Rescue

Retention: Permanent

I. Inspections

1. Business Inspection Records

Records of inspections of commercial establishments.

Retention: Permanent

2. Routine Inspections

Records of routine fire prevention and other related inspections performed by the municipality.

Retention: 3 years + current

J. Intelligence Files (Arson) <Added 1/03>

Records containing information regarding individuals and groups. <Added 1/03>

1. Multiple Contacts <Added 1/03>

Retention: 5 years <Added 1/03>

2. No Further Contact <Added 1/03>

Retention: 1 year + current <Added 1/03>

K. Requests for Service

Retention: 2 years + current

L. S.A.R.A. Tier II Reports

Superfund Amendments Reauthorization Act reports.

Retention: 1 year + current

M. Training Records

See 15.270, Training Information.

17.75 FIRE DEPARTMENT RECORDS (IF INTERNATIONAL FIRE CODE IS ADOPTED) <Added 12/04>

Municipalities that adopt the International Fire Code (IFC) should follow the records retention provisions set out in the IFC as follows, unless a local exception is adopted by ordinance.

A. Approval and Variance Records <Added 12/04>

Retention: Not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations [IFC §104.6.1]

B. Fire Records <Added 12/04>

Retention: Not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations [IFC §104.6.3]

C. Inspection Records <Added 12/04>

Retention: Not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations [IFC §104.6.2]

D. Statistical Records – Fire Department <Added 12/04>

Statistics regarding the extent of fires and the damage caused by fires.

Retention: Not less than 5 years or for as long as the structure or activity to which such records relate remains in existence, unless otherwise provided by other regulations [IFC §104.6.3]

17.80 HAZARDOUS MATERIALS

Records relating to hazardous materials regulation, prevention, safety and incident response and investigation.

A. Asbestos Removal Permits

See 12.30.A, Asbestos Removal Permits.

B. Incident Prevention Reports

Retention: 3 years + current

C. Incident Response Planning

See 17.50, Emergency Planning and Response.

D. Investigations

Records of investigations of hazardous materials incidents.

1. Criminal Hazardous Materials Incidents

Retention: Permanent

2. Noncriminal Hazardous Materials Incidents

Retention: 2 years after costs are recovered

3. Registration – Hazardous Materials

Retention: Permanent

4. Underground Storage Tank Inspections

See 11.70.D, *Storage Tanks – Regulated Substances*; and 12.30.B, *Underground Storage Tank Permits*.

E. Toxic Site (Designated) <Added 1/03>

See 11.70.E, *Toxic Sites (Designated)*.

17.90 POLICE RECORDS [GENERAL REFERENCE: CRS 24-72-304]**A. Arrest Records**

Records pertaining to arrests, including cards, numerical files and register books.

1. Arrest and Booking Logs

Retention: 5 years + current

2. Adult Offender Arrest Records <Amended 3/07>**a. Felony Arrests (Major Felonies and Violent Crimes)** <Added 12/04>

Cases such as arson with fatalities, homicides, kidnapping, deaths related to criminal acts, missing persons (excluding runaways), forgery and officers killed. <Amended 3/07>

Retention: Permanent

b. Felony Arrests (Other) <Added 12/04>

Other felony cases, special investigations related to cases such as aggravated assault, arson without fatalities and similar cases. <Amended 3/07>

Retention: 10 years + current <Amended 4/06>

c. Misdemeanor Arrests <Amended 3/07>

Misdemeanor cases, petty offenses, traffic offenses and similar cases.

Retention: 3 years + current

d. Sexual Assault Arrest Records <Added 2/08>

Retention: 50 years

e. Sexual Assault on a Child Arrest Records <Added 2/08>

Retention: Permanent [CRS 16-5-401]

3. Juvenile Offender Arrest Records [CRS 19-1-304] <Amended 3/07>

Retention: Until 19 years old

4. Traffic Accident Arrest Records – No Criminal Charges Filed <Added 3/07>**a. Fatal Traffic Accidents** <Added 3/07>

Retention: 10 years

b. Non-Fatality Traffic Accidents <Added 3/07>

Retention: 3 years

B. Case Records <Amended 3/07>

Case files, incident reports, offense reports, crime stoppers reports, activity summaries, accident reports, fingerprint cards and files, photographic records of suspects and persons convicted of crimes (including photographic prints and negatives), photographic records of crime scenes (including photographic prints and negatives), video and audio recordings of crime scenes and interviews with witnesses or suspects, lie detector test records and other records pertaining to cases handled by the police department. <Amended 3/07>

1. Death Case Records – Noncriminal <Added 3/07>

Retention: 10 years + current

2. Felony Case Records (Major Felonies and Violent Crimes) <Amended 3/07>

Cases such as arson with fatalities, forgery, unrecovered firearms, homicides, kidnapping, deaths, missing persons (excluding runaways) and officers killed. <Amended 3/07>

Retention: Permanent

3. Felony Case Records (Other) <Amended 3/07>

Other felony cases, special investigations related to aggravated assault, arson without fatalities and similar cases. <Amended 3/07>

Retention: 10 years + current [CRS 16-5-401] <Amended 4/06>

4. Misdemeanor Case Records <Amended 3/07>

Misdemeanor cases, petty offenses, traffic offenses and similar cases.

Retention: 3 years + current

5. Sex Offender Case Records <Amended 3/07>

See also 17.70.V, Registered Sex Offenders.

Retention: Permanent

6. Sexual Assault Case Records <Added 3/07>

Retention: 50 years

7. Sexual Assault on a Child Case Records <Added 2/08>

Retention: Permanent [CRS 16-5-401]

8. Traffic Accident Arrest Records – No Criminal Charges Filed <Added 3/07>

a. Fatal Traffic Accidents <Added 3/07>

Retention: 10 years

b. Non-Fatality Traffic Accidents <Added 3/07>

Retention: 3 years

C. Code Enforcement Records <Amended 3/09>

See 17.90.B.4, Misdemeanor Case Records.

D. Community Relations Records <Added 3/07>

Records of outreach and public relations efforts, including routine requests for police department contact, follow-up, services, etc., not involving a police report; neighborhood mediation; police presentations; and similar community outreach efforts.

Retention: 1 year + current after completion

E. Concealed Weapons Permits <Added 3/07>

See 12.30.E, Concealed Weapons Permits.

F. Crime Lab Records <Added 3/07>

1. Crime Lab Reports and Supporting Documentation <Added 3/07>

Reports regarding crime lab work and findings, and supporting documentation such as sketches, etc.

Retention: Life of related police case file

2. Equipment Calibration and Testing Records <Added 3/07>

Records of testing of scales and other equipment used in the crime lab.

Retention: 1 year + current

3. Laboratory Request Forms and Supporting Documentation <Added 3/07>

Forms used to request crime lab work.

Retention: Life of related police case file

4. Logs – Crime Lab <Added 3/07>

Automatic fingerprint identification system (AFIS) fingerprint logs, crime scene processing logs, laboratory fieldwork logs, laboratory work logs, marijuana testing logs, etc.

Retention: Permanent, as documentation of qualifications of crime lab technicians as expert witnesses

5. Vehicle Hold/Release Sheets <Added 3/07>

Record of vehicles impounded for fingerprint or crime scene processing, including record of tow yard holds and releases.

Retention: Life of related police case file

G. Criminal History Files

1. Felonies

Retention: 10 years + current [CRS 16-5-401]

2. Homicides

Retention: Permanent

3. Misdemeanors

Retention: 3 years + current <Amended 3/07>

H. Evidence Records

Records pertaining to the collection and storage of evidence collected at crime scenes and during police investigations. Note: Physical evidence, including DNA evidence, is destroyed in consultation with, and upon written authorization from, the district attorney. Since the retention and destruction of physical evidence related to crimes is determined by the police department in consultation with the district attorney, the retention of such physical evidence is therefore not covered in this Retention Schedule. Note: Retention periods apply provided that offenses are not affected by statute of limitations. **<Amended 3/09>**

1. Chemical Blood Testing Reports **<Added 3/07>**

Reports requested by the police department for chemical blood testing (such as DNA testing) to determine genetic markers, performed by CBI or other agencies.

Retention: Life of related case file or life of the defendant, whichever is later [CRS 18-1-1101, et seq.] **<Amended 3/09>**

2. Evidence and Property Audit Records **<Added 3/07>**

Audit reports detailing the authorized destruction or disposal of property and evidence associated with police cases, including drugs, drug paraphernalia, weapons, currency, explosives, armored or bulletproof clothing, unlawful property, etc.

Retention: Until completion of next succeeding evidence and property audit

3. Handling and Storage of Evidence Records **<Amended 3/07>****a. Case-Specific Evidence Logs** **<Added 3/07>**

Logs documenting the receipt, transfer and release of materials taken into evidence for specific cases, including property reports, release records, evidence tags and similar records.

Retention: Life of related case file or life of the defendant, whichever is later [CRS 18-1-1101, et seq.] **<Amended 3/09>**

b. Evidence Logs Documenting Multiple Cases **<Added 3/07>**

Logs documenting the receipt, transfer and release of materials taken into evidence for multiple cases, including property reports, release records, evidence tags and similar records.

Retention: 7 years + current

4. Lie Detector Test Records **<Added 3/07>**

Computer voice stress analyzer, polygraph and other lie detector test records.

a. Administrative Records **<Added 3/07>**

Records retained by the test administrator to document expertise in the administration of lie detector tests.

Retention: Permanent

b. Test Results **<Added 3/07>**

See 17.90.B, Case Records.

I. Expungement Records **<Added 3/07>**

Records of sealing or expungement of arrest records, retained with the expunged record.

Retention: Until sealed record is destroyed pursuant to the approved records retention schedule

J. False Alarm Records <Added 3/07>

Records of false alarms, warnings issued and user fee assessments; notifications of unreliable alarm systems, etc.

Retention: 1 year + current

K. Field Contact Records

Records of contacts with businesses, complainants, juveniles, victims or witnesses after which no incident report is filed, including written statements.

Retention: 3 years + current

1. Recorded Interviews – Field Contacts

Recorded interviews conducted during field contacts in which no incident report is filed.

Retention: 90 days if transcribed, or life of case file if not transcribed <Amended 3/07>

L. General Orders <Added 3/07>

Directives or standard operating procedures issued by the police chief governing the overall operation and administration of the police department.

Retention: Retain one copy of all versions permanently for historical and reference purposes

M. Intelligence Files (Police) <Added 1/03>

Records containing information regarding individuals and groups. <Added 1/03>

1. Gang Files [Reserved] <Added 3/07>**2. Multiple Contacts** <Added 1/03>

Retention: No longer than 5 years [28 CFR 23.20(h)] <Amended 3/07>

3. No Further Contact <Added 1/03>

Retention: 1 year + current <Added 1/03>

N. Internal Affairs Investigations

Records pertaining to internal investigations regarding police conduct or actions, board of inquiry proceedings, and any subsequent disciplinary actions. Note: Substantiated investigations should be transferred to the record copy custodian for personnel records for the municipality to be retained or destroyed according to personnel policy unless there are conflicts with union policy.

Retention: 4 years + current

O. Licenses and Permits

See Schedule 12 Licenses and Permits.

P. Logs

Listings kept to track specific routine daily activities.

1. Arrest Logs

See 17.90.A, Arrest Records.

2. Court Subpoena Logs

Retention: 2 years + current

3. Crime Logs

Logs kept of specified crimes such as auto and auto parts thefts, burglaries, forgery and bad checks, theft and fraud and similar records.

Retention: 3 years + current

4. Criminal History Check Log Sheets <Added 3/07>

Logs retained for NCIC¹⁴ audit containing information regarding criminal history checks conducted by the police department pertinent to possible criminal activity, law enforcement employment, etc.

Retention: 1 year + current [NCIC Policy]

5. Dispatch Logs

Retention: 1 year + current

6. DUI Logs

Retention: 2 years + current

7. Offense Logs

Retention: 3 years + current

8. Routine Activity Logs

Documentation of routine home and welfare checks, alarm checks, and similar activities.

Retention: 1 year + current

9. Traffic Accident Logs

Retention: 2 years + current

Q. NCIC/CCIC¹⁵ Teletypes <Added 3/07>

Informational teletypes received via NCIC and CCIC for entry to the police department's computer system; follow-up teletypes from other law enforcement departments.

Retention: 30 days

R. Open Records Requests <Added 2/08>

See 7.235, Open Records Requests.

S. Parole Card File

Retention: Until no longer needed

T. Personnel Records

See Schedule 15 Personnel Records.

¹⁴ NCIC means National Crime Information Center.

¹⁵ CCIC means Colorado Crime Information Center.

U. Prisoner Transport Records <Added 4/06>

Retention: 1 year + current

V. Registered Sex Offenders [CRS 18-3-412.5] <Amended 12/04>

See also 17.90.B.5, Sex Offender Case Records.

1. Information Request Forms – Sex Offenders <Added 12/04>

Forms completed by parties interested in inspecting public information regarding sex offenders. General Reference: CRS 16-22-112.

Retention: 1 year + current

2. Sex Offender Registration and Cancellation Forms <Added 12/04>

Notifications completed by convicted sex offenders regarding residence addresses and contact information. General Reference: CRS 16-22-108.

Retention: 5 years after offender leaves jurisdiction

3. Sexually Violent Predators – Public Notifications <Added 12/04>

Notices given by the municipality to the public regarding sexually violent predators in the community. General References: CRS 16-22-108 and CRS 18-3-414.5.

Retention: Permanent

W. Reports <Amended 3/07>**1. Records Checks**

Retention: 2 years + current

2. Reports – Departmental

See 7.330, Reports.

3. Uniform Crime Report/NIBRS¹⁶ – Annual

Retention: Permanent

X. Requests for Release of Information <Added 3/07>

Requests for public release of information such as E-911 recordings, reports, incident histories, etc.

Retention: 1 year + current

Y. Ride-Along Program Records

Records of police programs that allow citizens to ride-along with police officers.

1. Approved to Ride-Along

Retention: 3 years + current

¹⁶ NIBRS means National Incident Based Reporting System.

2. Denied Approval to Ride-Along

Retention: 1 year + current <Amended 3/07>

3. Liability Waivers

See 7.270.F, *Liability Waivers*.

Z. Seizure Fund Documentation

Records relating to the fund established for funds accruing to the municipality as a result of court-ordered seizures and disposition of property connected to vice, narcotics and other crimes. <Amended 2/08>

Retention: 7 years + current

AA. Statistical Files

Card or other indexes for collection of data by class of crime, Uniform Crime Reports (UCR), and other statistical information compiled by the police department.

Retention: 5 years + current

BB. Training Records

Records documenting training for police personnel, including K-9 training records, test scores and monthly training reports. See also 15.270, *Training Information*. <Amended 3/10>

Retention: 5 years after employee's termination

CC. Vehicle Impound Records <Added 2/08>

Records documenting the impoundment of licensed and nonlicensed motorized vehicles and sports craft that have been taken into custody by the municipality for violations of Colorado traffic laws, municipal ordinances or other laws that govern their use, operation and ownership.

Retention: 1 year + current after vehicle is released to owner or otherwise disposed of by the municipality

DD. Victim Assistance and Counseling Records <Amended 2/08>

Case records, including contact sheets, relating to victim assistance and advocacy.

Retention: 1 year + current after completion of assistance

EE. Video Recordings – Secured Police Facilities <Added 2/08>

Video recordings made in secured areas of jails, holding areas, booking areas or lock-ups. See 16.155, *Security Records* for surveillance recordings in public areas; and 17.90.B, *Case Records* for video recordings relating to interviews, crime scenes, etc.

Retention: To be determined administratively by the law enforcement agency, provided that any pertinent video recordings are retained until the final resolution of any related potential or pending claim or litigation

FF. Video Recordings – Vehicle Recording Systems <Added 2/08>

Video recordings and logs made from police vehicle recording systems.

Retention: 30 days, except that portions of the recordings relating to specific cases may be captured separately and retained as part of the case record for the life of the case record (See 17.90.B, *Case Records*.)

GG. Weapons and Firearms Records <Added 3/07>

1. Authorizations to Carry <Added 3/07>

Records of types of firearms and weapons carried by officers indicating authorization to carry weapons, that the weapon has been checked, and that the officer qualifies to use it.

Retention: 1 year + current after the weapon is no longer in use

2. Qualification Records <Added 3/07>

Records documenting firearms qualifications for police officers, including individual shooting range score sheets.

Retention: 10 years after separation from employment

3. Weapons Maintenance Records <Added 3/07>

Records relating to in-house and external maintenance work on weapons.

Retention: 2 years + current

17.100 PROCEDURES AND POLICIES

See 7.260, *Policies and Procedures Documentation*.

17.105 RECORDINGS – DISPATCH <Added 3/07>

Audio recordings made to monitor and record law enforcement and other protective services radio transmissions, including police and fire radio transmissions, police emergency 9-1-1 calls and fire dispatch calls. <Amended 3/09>

Retention: 90 days

17.110 SUMMONSES AND COMPLAINTS

Duplicate copy of summonses and complaints. See also *Schedule 14 Municipal Court Records*.

Retention: 1 year + current

17.120 SYSTEMATIC ALIEN VERIFICATION FOR ENTITLEMENTS (SAVE) PROGRAM RECORDS

<Added 3/09>

Records relating to municipal reporting of verifications of the status of U.S. citizenship of applicants for licenses, credentials, rebates and/or benefits issued by the municipality.

A. Annual Reports – State of Colorado

Annual reports made by the municipality to the Colorado Legislative Council of the total number of reports made to the U.S. Immigration and Customs Enforcement Office (ICE) regarding any person arrested that the law enforcement department believes is not legally present in the United States. General references: 6 USC § 112(B)(2); 5 USC § 552A; SB 06-090; CRS 29-29-101, et seq.

Retention: 3 years + current after last contact

B. Reports – ICE

Reports made to the U.S. Immigration and Customs Enforcement Office (ICE) regarding any person arrested that the law enforcement department believes is not legally present in the United States.

Retention: 3 years + current after last contact

17.130 TRAFFIC CODE

See 7.60.A, Codes Adopted by Reference.

17.140 VEHICLES – PUBLIC SAFETY

See Schedule 6 Fleet and Equipment Records.

17.150 VIDEOTAPES *<Amended 3/07>*

See 17.90.B, Case Records; and 16.155.C, Videotapes Related to Security.